

## **REMARKS**

### **INTRODUCTION**

In accordance with the foregoing, claim 34 has been added. Claims 1-4, 6, 7, 11, 13-17, 19-22, 24, 25 and 34 are pending and under consideration.

### **ADVISORY ACTION**

In the Advisory Action mailed on August 18, 2008, the Examiner noted that all pending claims still stand rejected. Accordingly, claims 1-4, 11, 13, 16, 17, 19, 20, 21, and 22 were rejected under 35 USC 103(a) as being unpatentable over Corey et al. (US 5,703,655) (hereinafter "Corey") in view of Chen (US 2002/0136538) (hereinafter "Chen"); claims 6, 7, 24, and 25 were rejected under 35 USC 103(a) as being unpatentable over Corey in view of Chen and further in view of Jain et al. (US 6,360,234) (hereinafter "Jain"); claims 14 and 15 were rejected under 35 USC 103(a) as being unpatentable over Corey in view of Chen and further in view of Thomas et al. (US 6,847,395) (hereinafter "Thomas"); and claim 33 was rejected under 35 USC 103(a) as being unpatentable over Corey in view of Chen and further in view of Strubble et al. (US 5,483,278) (hereinafter "Strubble").

### **NEW CLAIM**

New claim 34 has been added in order to present an alternate feature of the present invention. Support for this new claim may be found in at least paragraph [0029] of the specification of the present application. New claim 34 recites that determining the compression ratio for the A/V signal according to the category item selected for the A/V signal includes estimating from the category item that an amount of movement in the received A/V signal is greater than a reference amount of movement and then determining the compression ratio to be lower than a reference compression ratio for the category item; and estimating from the category item that the amount of movement in the received A/V signal is less than the reference amount of movement and then determining the compression ratio to be higher than the reference compression ratio for the category item.

The Examiner has relied on Chen to show the feature of present invention of determining a compression ratio. However, Chen only discusses adjusting bit rate based on the type of video program and does not discuss an amount of movement in the A/V signal as is recited in claim 34.

No new matter has been added, and entry and consideration are respectfully requested.

**CONCLUSION**

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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